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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 ELIOT SCOTT GRIZZLE,

No. C 07-4845 SI

9 Petitioner,

**ORDER RE: BRIEFING ON
PETITIONER'S MOTION FOR
DISCOVERY [DOCKET NO. 39]**

10 v.

11 ROBERT HOREL,


12 Respondent.
13 _____/

14 On March 6, 2009, petitioner filed a motion for discovery pursuant to Rule 6(a) of the Federal
15 Rules Governing § 2254 Cases. This motion is scheduled for a hearing on April 24, 2009.

16 Petitioner is directed to file a supplemental brief, no later than March 30, 2009, to specifically
17 address the steps petitioner has taken in state court proceedings to obtain the discovery that he now
18 seeks. If petitioner has not made attempts to obtain the materials in state court, he must explain his
19 reasons. Respondent shall file a response to the motion no later than April 10, 2009.
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21 **IT IS SO ORDERED.**

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23 Dated: March 19, 2009



SUSAN ILLSTON
United States District Judge